
SUBSTITUTE SENATE BILL 6528

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Mulliken, Kastama, Benson, Oke, Esser, Berkey and Sheldon; by request of Department of Transportation)

READ FIRST TIME 01/23/06.

1 AN ACT Relating to authorization for the department of
2 transportation to allow roadside tire chain installation and removal
3 businesses on state highway rights of way; amending RCW 47.32.120; and
4 adding a new section to chapter 47.04 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.04 RCW
7 to read as follows:

8 The department may issue written permits authorizing permittees to
9 install or remove tire chains on motor vehicles with the following
10 conditions:

11 (1) Chains may only be installed or removed at locations designated
12 in the permit;

13 (2) Permittees must comply with terms and conditions in the permit
14 relating to the safe and orderly movement of traffic; and

15 (3) Permittees may charge a fee to drivers for their services.

16 The department may issue sufficient permits for the installation or
17 removal of tire chains that it finds necessary or desirable to
18 accommodate the demand for those services consistent with the maximum
19 convenience and safety to traffic. The department may charge a fee to

1 permittees for the issuance of permits. The department, in issuing a
2 permit for the installation or removal of tire chains, assumes no
3 responsibility for the actions, inactions, competence, or reliability
4 of the permittee in performing those services and shall not be liable
5 for the damages relating to acts or omissions of the permittees. The
6 department shall adopt rules to implement this section, including
7 requiring permittees to wear reflective clothing and use appropriate
8 signage.

9 **Sec. 2.** RCW 47.32.120 and 1984 c 7 s 183 are each amended to read
10 as follows:

11 Except as provided in section 1 of this act, it is unlawful for any
12 person to erect a structure or establishment or maintain a business,
13 the nature of which requires the use by patrons or customers of
14 property adjoining the structure or establishment unless the structure
15 or establishment is located at a distance from the right of way of any
16 state highway so that none of the right of way thereof is required for
17 the use of the patrons or customers of the establishment. Any such
18 structure erected or business maintained that makes use of or tends to
19 invite patrons to use the right of way or any portion thereof of any
20 state highway by occupying it while a patron is a public nuisance, and
21 the department may fence the right of way of the state highway to
22 prevent such unauthorized use thereof.

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